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STATE OF MICHIGAN
DEPARTMENT OF EDUCATION
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SUPERINTENDENT OF
PUBLIC INSTRUCTION

**FISCAL YEAR 2012
CHILD AND ADULT CARE FOOD PROGRAM
OPERATIONAL MEMO #16**

TO: Child and Adult Care Food Program Institutions

FROM: Kyle L. Guerrant
Office of School Support Services

(K.L.G.) 6-28-12

DATE: June 28, 2012

SUBJECT: Changes to Language in the Seriously Deficient Process

Effective July 13, 2011, the United States Department of Agriculture (USDA) issued its final rule of improving Management and Program Integrity in the Child and Adult Care Food Program (CACFP). This final rule incorporates modifications, clarifications, and technical changes of the CACFP program regulations to the two interim rules published by the USDA on June 27, 2002, and September 1, 2004.

The final rule amends language specific to the serious deficiency notification procedures for institutions [7 CFR §226.16(l)(3)(ii)]. The change requires the Michigan Department of Education (MDE) to re-word the notification to read "temporarily defer" a notice of serious deficiency, rather than "rescind" a notice of serious deficiency when an institution submits successful corrective action.

In addition, the regulation further clarifies that if the corrective action taken by an institution is accepted by MDE and it is later determined that the corrective action was not permanent and complete, MDE must move directly to issuing a notice of proposed termination and disqualification; i.e., the serious deficiency process continues where it left off when the serious deficiency appeared to be corrected.

If you have any questions regarding this memorandum, you may contact the Child and Adult Care Food Program at (517) 373-7391.

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